

Message Text

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ORIGIN EB-07

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FM SECSTATE WASHDC

TO AMEMBASSY TEGUCIGALPA

AMEMBASSY MANAGUA

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E.O. 11652:N/A

TAGS:EWWT

SUBJECT:CONASA PROBLEM AND THE MIAMI TRADE

REF: TEGUCIGALPA A) 419 B) 452 C) 461

1. DEPARTMENT APPRECIATES REPORTING ON CONASA PROBLEM AND SUBSEQUENT CLARIFICATION. SPOT CHECKS WITH CONASA MIAMI OFFICE JAN 31 INDICATED THAT LINE HAD DISCONTINUED SERVICE IN DECEMBER; CCT, US-OWNED AND THIRD FLAG COMPETITOR, STATED IT NOT EXPERIENCING ANY DIFFICULTIES WITH MIAMI/NICARAGUA SHIPMENTS. MAMENIC, COINCIDENTALLY, INAUGURATED RO/RO SERVICE EVERY 12 DAYS BETWEEN MIAMI AND MANAGUA VIA LA ESPERANZA/RAMA AS OF JAN 17 USING CHARTERED BRITISH FLAG VESSEL, THE NEW BRUNSWICK.

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2. CONSIDERING PREVIOUS CARGO RESERVATION PROBLEM FROM

US GULF INVOLVING MAMENIC LINES, IT IS NOT AT ALL INCONCEIVABLE THAT MAMENIC WITH GON SUPPORT MIGHT POSSIBLY ATTEMPT TO MONOPOLIZE THE MIAMI-NICARAGUA TRADE. POSTS MAY RECALL GULF PROBLEM WITH MAMENIC WAS RESOLVED SATISFACTORILY SINCE DELTA LINES SERVED TRADE ALSO AND 1956 FCN TREATY WITH NICARAGUA STIPULATED NATIONAL TREATMENT FOR OUR RESPECTIVE FLAG LINES IN THE CARRIAGE OF COMMERCIAL CARGOES. ABSENCE OF US FLAG CARRIER IN THE MIAMI-NICARAGUA SERVICE, HOWEVER, COULD HAVE PRECLUDED SIMILAR APPROACH VIS-A-VIS THE GON HAD THE SITUATION BEEN AS FIRST REPORTED REFTEL A. NEVERTHELESS, SHOULD THERE BE ANY FUTURE ACTION BY EITHER THE GON OR GOH (TYPE DISCUSSED IN PARAS 2 AND 3, REFTEL A) TO GAIN EXCLUSIVE CARGO RIGHTS FOR THEIR SHIPPING LINES IN THEIR MIAMI TRADE, SUCH COULD BE CONSIDERED AS CREATING A CONDITION UNFAVORABLE TO SHIPPING IN THE FOREIGN TRADE OF THE UNITED STATES (FACT THAT THERE IS NO US FLAG SERVICE IS IMMATERIAL) AND COULD PRECIPITATE COUNTERVAILING MEASURES BY THE FEDERAL MARITIME COMMISSION (FMC) UNDER SECTION 19, MERCHANT MARINE ACTION, 1920 (SEE STATE A-8430 OF NOVEMBER 8, 1974 ON FMC GENERAL ORDER NO. 33. ORDER WAS NOT IMPLEMENTED DECEMBER 1 AS INDICATED IN STATE 243654 IN ORDER TO ALLOW FMC CONSIDERATION OF ADDITIONAL COMMENTS BY INTERESTED PARTIES. NEVERTHELESS, FMC CAN ACT UNDER SECTION 19 WITHOUT PROMULGATION OF NEW IMPLEMENTING REGULATIONS.)

3. FOREGOING IS PROVIDED FOR POSTS' INFORMATION AND BACKGROUND. HOWEVER, EMBASSY MANAGUA IS REQUESTED TO CHECK OUT REPORT REFTEL A THAT AFTER FEBRUARY 10 NICARAGUAN-BOUND CARGOES FROM MIAMI MUST BE SHIPPED WITH MAMENIC. IN THIS REGARD, FACT THAT MAMENIC RECENTLY INAUGURATED A NEW MIAMI SERVICE MAY BE A COINCIDENCE -- AND THEN, IT JUST MIGHT NOT BE. KISSINGER

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